

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**LEE ALLEN BASS,**

**Defendant.**

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**CRIMINAL ACTION**

**NO. 99-784**

**CIVIL ACTION**

**NO. 12-855**

**ORDER**

**AND NOW**, this 6th day of June, 2012, upon consideration of defendant's Motion for Leave to File a Successive Motion Pursuant to 28 U.S.C. § 2255 and the attached Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 60, filed February 17, 2012), Government's Motion to Dismiss Section 2255 Petition as Untimely (Document No. 62, filed March 12, 2012), Petitioner's Response to Government's Motion to Dismiss (Document No. 64, filed April 11, 2012), and Government's Reply in Support of Its Motion to Dismiss Section 2255 Petition as Untimely (Document No. 65, filed April 16, 2012), for the reasons set forth in the Memorandum dated June 6, 2012, **IT IS ORDERED** that the Government's Motion to Dismiss is **DENIED**.

**IT IS FURTHER ORDERED** that the government shall file a response on the merits to defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody on or before June 20, 2012. Two (2) copies of such response shall be submitted to the Court (Chambers, Room 12613) when the original is filed.

**BY THE COURT:**

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/s/ Hon. Jan E. Dubois  
**JAN E. DUBOIS, J.**